



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/722,377 | 11/28/2000 | Rainer Buschges | 620-125 |

CONFIRMATION NO. 5106

FORMALITIES LETTER



OC000000005972657

Nixon & Vanderhye P C
Mary J Wilson
1100 North Glebe Road 8th Floor
Arlington, VA 22201-4714

Date Mailed: 04/16/2001



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$5150.
 - \$4320 for 240 total claims over 20.
 - \$560 for 7 independent claims over 3 .
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 5990.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/17/2001 CCHAU1 00000112 09722377
01 FC:101
02 FC:105
740.00 OP
130.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

SCHULZE-LEFERT et al

Serial No. 09/722,377

Filed: November 28, 2000

Attention: Application Branch

Atty. Dkt. 620-125

Date: October 16, 2001

For: POLYNUCLEOTIDE AND ITS USE FOR MODULATING A DEFENCE RESPONSE
IN PLANTSAssistant Commissioner for Patents
Washington, D.C. 20231The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR
☐ Signed Declaration plus attached copy of originally filed specification/drawings.
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.
☐ Record the attached assignment and return to the undersigned.
☐ Attached is a Power of Attorney.
☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

| Application Number | Country | Day/Month/Year Filed |
|--------------------|---------------|----------------------|
| 9615879.5 | Great Britain | 29 July 1996 |
| 9622626.1 | Great Britain | 30 October 1996 |
| 9704789.8 | Great Britain | 07 March 1997 |
| PCT/GB97/02046 | | 29 July 1997 |

respectively.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
☐ Certified copy(ies) filed on _____ in prior application no. _____, filed _____.
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee.

Fees due are calculated below:

| | | | |
|--|-------------|-------------------|-----------|
| Basic filing fee | | \$ | 740.00 |
| Total Effective claims | 16 - 20 = 0 | x \$ | 18.00 |
| Independent claims | 2 - 3 = 0 | x \$ | 84.00 |
| If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) | | \$ | 0.00 |
| | | FILING FEE | \$ 740.00 |

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months)

Surcharge (\$130.00) if Declaration or filing fee first now submitted \$ 130.00
English translation of specification and claims (\$130.00) \$ 0.00**FIRST SUBTOTAL** \$ 2,310.00

If "small entity," enter half (1/2) of subtotal and subtract -\$ 0.00

SECOND SUBTOTAL \$ 2,310.00

Assignment Recording Fee (\$40.00) \$ 0.00

TOTAL FEE DUE \$ 2,310.00

10/17/2001 CCHAU1 00000112 09722377

03 FC:118

1440.00 0P

Check enclosed (Pre-Bill)* \$

Check enclosed (non Pre-Bill)* \$ 2,310.00

TOTAL FEE ENCLOSED \$ 2310.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.
The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

*For N&V internal accounting purposes

568330

SCHULZE-LEFERT et al
Serial No. 09/722,377

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Mary J. Wilson

Mary J. Wilson

Reg. No. 32,955

MJW:tat
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
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Facsimile: (703) 816-4100